Upper Delaware Council

OPERATIONS COMMITTEE MEETING MINUTES
March 23, 2010

Committee Members Present:	Roeder, Niflot, Rando, Richardson
Committee Members Absent:	Rajsz
NPS Partner:	McGuinness
Staff:	Douglass, Soete, Coney, Ramie
Guests:	J. Sundholm, A. Ritter, E. Grund, F. Peckham, J. Serio, J. Dexter, J. Canfield, D. Keesler, M. Harrison, D. Hamilton

The UDC's Operations Committee held its monthly meeting on Tuesday, March 23, 2010 at the Council's office on Bridge Street in Narrowsburg, NY. Committee Chairperson Harold Roeder Jr. called the meeting to order at 6:36 p.m. A motion by Niflot seconded by Richardson to approve the January 26 meeting minutes was carried. The Feb. 23 meeting had been cancelled due to snowy weather. There was no public comment on the agenda.

PR/Fund Raising Specialist's Report: Ramie reported that she had been working on the spring/summer Council newsletter which went to the printers on March 11. It should be mailed April 1. She noted that fewer copies are being mailed and the newsletters are posted on the UDC website, www.upperdelawarecouncil.org.

The awards ceremony nomination deadline was March 15. The Awards Subcommittee reviewed the nominations and selected the honorees. The honorees will be notified and a news release issued announcing the award recipients. Reservation forms for the Council's 22nd Annual Awards Ceremony are now available and can also be accessed from the Council's website. The reservation deadline is April 15. The ceremony will be held at the Eldred Preserve, Eldred, NY on Sunday, April 25 beginning at 3 p.m.

The grants administration is continuing with new monies received through NYS Senator Bonacic for the NYS UDC member towns. The Council will administer the grant through the NYS DEC. There are no administrative funds for the Council included in this grant. The towns have been notified to submit project proposals for this grant round. The deadline for project submission is April 23.

Executive Director's Report: Douglass handed out his written report. The health insurance coverage/companies review will take place at the April committee meeting.

Old Business None

New Business

Summary of bills, Feb. 23, confirmation vote: Since the Operations Committee meeting of Feb. 23 was cancelled due to snow, members received the summary of bills for review via mail under the procedure authorized. The bills were paid. A motion by Richardson seconded by Niflot confirming this action was carried.

Summary of bills Mar. 23 / financial statements: The committee reviewed the pending bills. A motion by Richardson seconded by Niflot to approve the bills for payment was carried. The financial statements for period ended Feb. 28, 2010 were handed out for review.

NPS-UDC Cooperative Agreement FY 2010: Coney and McGuinness reviewed with the committee the new funding procedure under the NPS Cooperative Agreement. Funds are now allocated monthly upon completion of financial reports from UDC. This is a nationwide shift of funds disbursement based on procedural changes within the National Park Service to allow for a more competitive structure. Coney announced the funds for March were received March 18. Training for these new procedures will take place in the Upper Delaware April 7 and 8. The Operations Committee will be kept up-to-date on this issue. McGuinness noted that this contracting change came from the U.S. Office of Management and Budget and

not the NPS. He also noted that it looks good for the Council to receive a budget increase in FY 2011. The UDC has been operating on the same funding amount for 21 years.

Discussion - River Management Plan and UDC Comment Letters on Projects Outside the River Corridor: Roeder had extended an invitation to all the Council Representatives and Alternates to attend this Operations Committee meeting to partake in the discussion on the *River Management Plan* and future UDC comment letters. There was lengthy discussion regarding this topic. Roeder prefaced the remarks by commenting we need to get back to our roots as an organization. Our personal feelings are out. We have to represent our town/townships in various matters. Roeder noted that he as well as some members of the Council received comments regarding the Council's comment letter for the Delaware River Basin Commission's Stone Energy Dockets. The group commenting took issue with the Council commenting on a project that was outside of the River corridor, although the Stone Energy project sites were on a trib to the Lackawaxen River that feeds the main stem Delaware River.

Roeder continued that the UDC has two responsibilities—to protect the River and private property rights. That's how we started. We have to think seriously about what we do here and we have to protect private property rights. Others looked at our DRBC comment letter as UDC opposing gas drilling. The Council has not taken a position on this issue. We need a neutral stand and how do we continue to do this.

Peckham felt we should only comment on issues within the River corridor; that the states and DRBC would provide regulatory oversight on the drilling. UDC is a non-regulatory organization. Richardson, Ritter and Rando felt the *River Management Plan* was followed properly in this matter. The committee received excerpts of the RMP containing mentions of "commenting" for the discussion. As to gas leases, the UDC doesn't know what lease agreements are well written and contain clauses to protect the environment since that is a private property issue. The UDC has a responsibility to protect the River and natural resources. That's why it was formed. Roeder said why comment on issues that will not affect the River corridor. Others indicated that's an unknown factor. If it might affect the corridor, we need to comment pointing out our concerns. The DRBC is a non-voting, member agency on the UDC's board. We usually comment on agency issues. Soete wondered at what point do we say it's a concern, after something goes wrong. Roeder noted we say cumulative impact study in the comment letter but how do we know that until drilling starts. Serio mentioned that the quantity of water withdrawals may not be as big of an issue as wastewater water quality impact. There is a simpler way to get water, like from a lake, than using the River. The Dockets indicate when the gas companies can withdraw water and it should not be done during low flows. The issue is the minimum flow requirement. In some respects you have to look at the whole system; if the tribs are okay then the Delaware River will be okay.

Soete felt that there was a misconception that what was reported in the *Wayne Independent* that pertained to the comments of the Lackawaxen River Conservancy was inadvertently attributed to the UDC. UDC is not asking gas drilling to be deferred until stringent regulations are in place. Richardson said to keep in mind that there are others in the area that don't want to see drilling at all, others that want safeguards in place before drilling takes place, and still others that are on the fence. That's another side of the coin that shouldn't be ignored. McGuinness asked Roeder if the UDC would comment if a project was on private property if there would be an impact to the River and Roeder indicated we will. Roeder said we have to rely on DRBC and the states for regulatory oversight. Ritter felt it was the UDC's responsibility to comment on projects based on the *River Management Plan*. Richardson agreed and noted we're looking at water quality just like the DRBC. Ritter reminded that the U.S. EPA is looking into the hydrofracking also. He wondered how that would affect future drilling. Peckham noted that the EPA is doing the study before the FRAC Act process continues so Congress has a better idea on the matter.

Sundholm noted that his town met with the gas companies and asked them many questions. To some extent that eliminated some fears. He felt the UDC needs to be careful when it makes comments so that the wrong impression is not given. Keesler noted that the UDC comment letter isn't going to change how DRBC finalizes its Dockets. Hamilton noted that there is more influence on the River from the tribs and UDC's letter recognized that fact. Rando offered that the bottom-line is that the UDC wants to see drilling done responsibly. Niflot felt this has to do with policy. We have to come up with a policy that will work that won't lean one way or the other. Serio said we're trying to get things done right as there will only be one shot at this. Niflot suggested UDC get a statement from each member town on this issue. He made a motion that UDC sends a letter to member towns/townships asking if they have a position on gas drilling. The motion was seconded by Rando and carried.

Public Comment None

Adjournment A motion by Richardson seconded by Rando to adjourn the meeting at 8:26 p.m.

Carol Coney, Office Manager